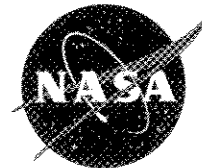


National Aeronautics and Space Administration
Headquarters
Washington, DC 20546-0001



January 22, 2010

Reply to Attn of:

General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Employees at the Ball Aerospace & Technologies Corporation Reception on February 12, 2010

On February 12, 2010, Ball Aerospace and Technologies Corporation, will host a reception at the ESPN Zone, in Washington, D. C., from 5:00p.m.-10:00 p.m. This event will include demonstration of Ball's technologies, such as 3-D Flash Lidar, thermal imagery sensor, and geospatial information systems that are applicable to NASA, NOAA and DoD programs.

The reception will be attended by senior leaders of the aerospace industry, trade associations, academia, members of Congress and their staffers, and other Federal agencies. Approximately 500 people have been invited and are expected to attend. The estimated cost of the reception, which includes all food and beverages, is \$45.00-\$50.00 per person. I find that the event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g).

I further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs or operations. Attendance at the reception will allow NASA representatives the opportunity to build relationships and improve lines of communications with other guests and to discuss NASA's programs and plans. Accordingly, NASA employees whose duties do not substantially affect the event sponsor, or a majority or all of its members, may accept an invitation for free attendance to the reception for themselves and their spouses or guests.

However, NASA employees who are in non-career positions in which Executive Order 13490, requires signing an ethics pledge, may only attend if they reimburse the sponsors the cost of the reception for themselves and accompany guests. Moreover, NASA employees whose duties do not substantially affect the event sponsors, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.205(g)(3)(1) regarding participation in this event from their local ethics counselor.


Adam F. Greenstone